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**FOR SCOTTS FILE**

Attorneys for Plaintiffs ROGELIO SERRATO,  
 JULIAN SERRATO AND ISRAEL SERRATO

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**

ROGELIO SERRATO, DECEASED, THROUGH  
 HIS SUCCESSORS IN INTEREST, JULIAN  
 SERRATO and ISRAEL SERRATO, minors, by  
 and through their grandmother and Next Friend,  
 LISA MAGDALENO; and JULIAN SERRATO  
 AND ISRAEL SERRATO, by and through their  
 Next Friend, LISA MAGDALENO, individually.

Plaintiffs,

vs.

MONTEREY COUNTY, a public entity, SHERIFF  
 SCOTT MILLER, individually and in his official  
 capacity; CAPTAIN CHARLES MONARQUE,  
 individually and in his official capacity;  
 COMMANDER KEVIN OAKLEY, individually;  
 SERGEANT GARRETT SANDERS, individually;  
 SERGEANT JOSEPH BANUELOS, individually;  
 SERGEANT RANDY RAGSAC, individually;  
 DETECTIVE AL MARTINEZ, individually;  
 DEPUTY MARK SIEVERS, individually, and  
 DOES 1-10, individually, jointly and severally.

Defendants.

*Related with:*

RITA SERRATO, et al.,

vs.

MONTEREY COUNTY, et al.

(No. C-11-4106 RMW)

No: C11-03642 RMW (PSGx)

Hon. Ronald M. Whyte

**AMENDED STIPULATION  
 AND () ORDER TO  
 AMEND CASE MANAGEMENT  
 ORDER**

All parties, by and through their attorneys, hereby stipulate to and request that the Court order that the case management order shall be amended as follows:

Deadline Description	Current Deadline/Date	Proposed Modified Deadline/Date
Disclosure of Expert Witnesses' Identities and Reports	January 25, 2013	February 20, 2013
Settlement Conference		Any appropriate time
Completion of Expert Discovery	February 22, 2013	June 7, 2013
Pretrial Conference	April 4, 2013	July 23, 2013
Trial	April 15, 2013	July 22, 2013

The reasons for the requested amendment to the scheduling order are as follows:

The reasons for this requested continuance are fully set forth in the accompanying declarations of Michael J. Haddad and Ben Nisenbaum on behalf of each set of Plaintiffs. In summary, counsel for both sets of Plaintiffs have other trials that conflict with the currently scheduled April 15, 2013 trial date in the present case. These scheduling conflicts are critical, and will seriously impede counsel's ability to adequately prepare for and try this wrongful death case. No party currently has any conflicts with the proposed July trial dates. *See, Declarations of Michael J. Haddad and Ben Nisenbaum.*

Additionally, now that all discovery except for expert depositions will be complete, and this Court will hear the parties' cross motions for summary judgment on February 22, 2013, this case is ripe for a settlement conference and/or private ADR. Continuing the trial date in this case to the agreed dates in July would facilitate ADR, and would also allow the parties to do so before having to complete costly expert depositions.

1 The parties previously stipulated and requested that this Court extend the deadline for  
2 participation in a settlement conference, and the Court granted this request. Docket No. 20.

3 For the good cause set forth in the accompanying declarations of Michael J. Haddad and  
4 Ben Nisenbaum, the parties jointly request that this Court amend the case management order as set  
5 forth herein.  
6

7  
8 Dated: February 19, 2013

HADDAD & SHERWIN

9  
10 /s/ Michael J. Haddad

MICHAEL J. HADDAD

11 Attorneys for Plaintiffs JULIAN SERRATO and  
12 ISRAEL SERRATO through their Next Friend,  
LISA MAGDALENO  
13

14 Dated: February 19, 2013

THE LAW OFFICES OF JOHN L. BURRIS

15  
16 /s/ Benjamin Nisenbaum\*

BENJAMIN NISENBAUM

17 Attorneys for Plaintiffs I.S. and D.B. through  
18 their Guardian Ad Litem EVELYN BELTRAN

19 Dated: February 19, 2013

FERGUSON, PRAET & SHERMAN

20  
21 /s/ Bruce D. Praet\*

BRUCE D. PRAET

22 Attorneys for Defendants  
23

24 \* Mr. Nisenbaum and Mr. Praet provided their consent that this document be electronically filed.  
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26  
27  
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**ORDER**

Pursuant to the stipulation of all parties to this action and good cause appearing therefore, IT  
IS SO ORDERED.

CEH FH

DATED

  
UNITED STATES DISTRICT JUDGE  
RONALD M. WHYTE